



08-19-03

1614

PHA 4297 (3167/8Z)
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John P. McKearn et al.

Art Unit 1614

Serial No. 09/868,261

Filed October 5, 2001

Confirmation No. Unknown

For METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR AND AN INTEGRIN
ANTAGONIST AS A COMBINATION THERAPY IN THE TREATMENT OF
NEOPLASIA

August 18, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, Applicants submit copies of the references listed on the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein.

Please note that Applicants make no representation as to the accuracy or completeness of the translations of the abstracts submitted herewith.

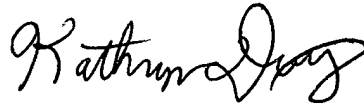
In preparation of this Information Disclosure Statement, Applicants determined that approximately 984 references were cited in the application. In an effort to reduce the burden on the Office, each reference was briefly reviewed by an attorney. This review eliminated any reference that was determined to be irrelevant or merely cumulative. If the Office would like a copy

of the eliminated references, they can be provided at the Office's request.

A check in the amount of \$180.00 is enclosed to cover the fee specified in 37 CFR \$1.17(p) for submission of this Information Disclosure Statement. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

* Also enclosed is Applicants' executed Power of Attorney.

Respectfully submitted,



Kathryn J. Doty, Reg. No. 40,593
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KJD/msc
*Enclosures

Express Mail Label No. EV 327052035 US - Box 1 of 3
Express Mail Label No. EV 327052044 US - Box 2 of 3
Express Mail Label No. EV 327052058 US - Box 3 of 3

FEE TRANSMITTAL

Application Number 09/868,261

Art Unit 1614

Filing Date October 5, 2001

Confirmation No. Unknown

Inventor(s) John P. McKearn et al.

Attorney Docket Number PHA 4297 (3167/8Z)

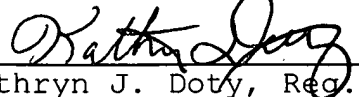
METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
- * 2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. ☐ BASIC FILING FEE Subtotal (1) \$ _____
(Type: _____)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ _____
Total Claims _____
Independent Claims _____
Multiple Dependent Claims _____
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 180.00
- ☐ Surcharge - late filing fee or oath
- ☐ Surcharge - late provisional filing fee or cover sheet
- ☐ Extension for reply within _____ month
- ☐ Notice of Appeal
- ☐ Filing a Brief in Support of an appeal
- ☐ Request for ex parte Reexamination
- ☐ Petitions to the Commissioner
- ☒ Submission of Information Disclosure Statement
- ☐ Recording each patent assignment per property
- ☐ Request for Continued Examination
- ☐ Other: _____

TOTAL AMOUNT OF PAYMENT \$ 180.00


Kathryn J. Doty, Reg. No. 40,593

August 18, 2003
Date


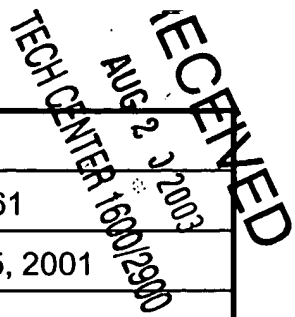
KJD/msc

*Enclosure

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Express Mail Label No. EV 327052044 US - Box 2 of 3

Express Mail Label No. EV 327052058 US - Box 3 of 3


PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/868,261
				Filing Date	October 5, 2001
				Confirmation Number	Unknown
				First Named Inventor	John P. McKearn et al.
				Group Art Unit	1614
				Examiner Name	Unknown
Sheet	1	of	13	Attorney Docket No.	PHA 4297 (3167/8Z)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1.	4,100,274		Dutta et al.	07-11-1978
	2.	4,105,681		Bollag et al.	08-08-1978
	3.	4,140,707		Cleare et al.	02-20-1979
	4.	4,215,215		Bollag et al.	07-29-1980
	5.	5,250,683		Holton et al.	10-05-1993
	6.	5,254,703		Holton	10-19-1993
	7.	5,272,171		Ueda et al.	12-21-1993
	8.	5,319,112		Kingston et al.	06-07-1994
	9.	5,344,991		Reitz et al.	09-06-1994
	10.	5,455,270		Kaplan et al.	10-03-1995
	11.	5,633,016		Johnson	05-27-1997
	12.	5,686,419		Powers et al.	11-11-1997
	13.	5,696,131		Baguley et al.	12-09-1997
	14.	5,733,909		Black et al.	03-31-1998
	15.	5,767,142		LaVoie et al.	06-16-1998
	16.	5,824,699		Kreft et al.	10-20-1998
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached.

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PTO/SB 08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
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Sheet	2	of	13	Attorney Docket No.	PHA 4297 (3167/8Z)

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	17.	5,837,696		Golub et al.	11-17-1998
	18.	5,869,524		Failli	02-09-1999
	19.	5,952,381		Chen et al.	09-14-1999

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office	Number ⁴	Kind Code ² (if known)			
	20.	DE	195 48 798	A1	Dr. Karl Thomae GmbH	07-03-1997	A
	21.	DE	196 13 933	A1	Merck Patent GmbH	10-09-1997	A
	22.	DE	196 26 701	A1	Hoechst AG	01-08-1998	A
	23.	EP	0 010 458	A1	ANVAR	04-30-1980	A
	24.	EP	0 054 168	A1	Klinge Pharma GmbH & Co.	06-23-1982	A
	25.	EP	0 095 875	A2	Farmos Group Ltd.	12-07-1983	
	26.	EP	0 165 904	A2	Ciba-Geigy AG	12-27-1985	A
	27.	EP	0 199 636	A1	C.I.R.D.	10-29-1986	A
	28.	EP	0 236 940	B1	Ciba-Geigy AG	09-16-1987	
	29.	EP	0 260 744	B1	Janssen Pharmaceutica N.V.	03-23-1988	
	30.	EP	0 299 402	A2	ASTA Pharma Aktiengesellschaft	01-18-1989	A
	31.	EP	0 331 983	A2	F. Hoffmann-La Roche AG	09-13-1989	A
	32.	EP	0 402 232	A1	Rhone-Poulenc Sante	12-12-1990	A

Examiner Signature		Date Considered	
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PTO/589/08A

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First Named Inventor	John P. McKearn et al.
Group Art Unit	1614
Examiner Name	Unknown
Attorney Docket No.	PHA 4297 (3167/8Z)

Sheet

3

of

13

33.	EP	0 532 156	A1	Matsuno et al.	03-17-1993	
34.	EP	0 579 915	A1	F. Hoffmann-La Roche AG	01-26-1994	A
35.	EP	0 702 962	A2	Eli Lilly and Company	03-27-1996	
36.	EP	0 703 239	A1	Hoechst Aktiengesellschaft	03-27-1996	A
37.	EP	0 743 070	A2	Trnka Mudr et al.	11-20-1996	A
38.	EP	0 921 119	A1	ADIR Et Compagnie	06-09-1999	A
39.	WO	87/07609	A1	Taiho Pharmaceutical Co., Ltd.	12-17-1987	A
40.	WO	93/11145	A1	Banyu Pharmaceutical Co., Ltd.	06-10-1993	
41.	WO	93/18652	A1	Merck & Co.	09-30-1993	
42.	WO	93/20229	A1	Genentech, Inc.	10-14-1993	
43.	WO	94/02466	A1	The Du Pont Merck Pharmaceutical Company	02-03-1994	
44.	WO	94/12169	A1	Merck & Co., Inc.	06-09-1994	
45.	WO	94/13635	A1	Merck Frosst Canada Inc.	06-23-1994	
46.	WO	94/20480	A1	Merck Frosst Canada Inc.	09-15-1994	
47.	WO	94/25431	A1	The Wellcome Foundation Limited	11-10-1994	
48.	WO	94/25466	A1	Glaxo, Inc.	11-10-1994	
49.	WO	94/26731	A1	Merck Frosst Canada Inc.	11-24-1994	
50.	WO	94/27980	A1	G.D. Searle & Co.	12-08-1994	
51.	WO	95/02603	A2	Pharmacia S.P.A.	01-26-1995	

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STATEMENT BY APPLICANT**

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First Named Inventor	John P. McKearn et al.
Group Art Unit	1614
Examiner Name	Unknown

Sheet	4	of	13	Attorney Docket No.	PHA 4297 (3167/8Z)
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52.	WO	95/08327	A1	The Government of the United States of America	03-30-1995
53.	WO	95/11883	A1	G.D. Searle & Co.	05-04-1995
54.	WO	95/12606	A1	The Wellcome Foundation Limited	05-11-1995
55.	WO	95/15316	A1	G.D. Searle & Co.	06-08-1995
56.	WO	95/24199	A2	Cell Therapeutics, Inc.	09-14-1995
57.	WO	95/28426	A2	La Jolla Cancer Research Foundation	10-26-1995
58.	WO	95/30652	A1	G.D. Searle & Co.	11-16-1995
59.	WO	95/30656	A1	G.D. Searle & Co.	11-16-1995
60.	WO	96/00574	A1	Smithkline Beecham Corporation	01-11-1996
61.	WO	96/00581	A1	Texas Biotechnology Corporation	01-11-1996
62.	WO	96/01653	A1	Board of Regents, The University of Texas System et al.	01-25-1996
63.	WO	96/03387	A1	G.D. Searle & Co.	02-08-1996
64.	WO	96/03392	A1	G.D. Searle & Co.	02-08-1996
65.	WO	96/06840	A1	Merck Frosst Canada Inc.	03-07-1996
66.	WO	96/14745	A1	The Regents of the University of California	05-23-1996
67.	WO	96/21667	A1	Merck Frosst Canada Inc.	07-18-1996
68.	WO	96/33988	A1	Wisconsin Alumni Research Foundation	10-31-1996

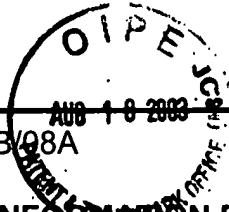
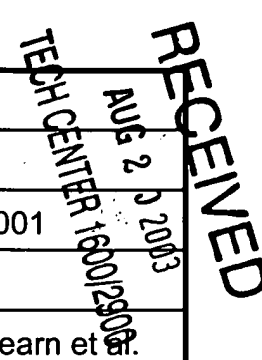
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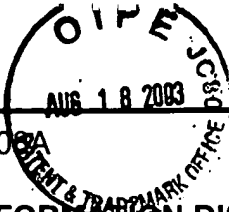
	69.	WO	96/35774	A2	The Children's Medical Center Corporation	11-14-1996	
	70.	WO	96/36335	A1	Pharmacia S.P.A.	11-21-1996	
	71.	WO	96/36612	A1	Rutgers, The State University of New Jersey	11-21-1996	
	72.	WO	96/36622	A1	Indena S.P.A.	11-21-1996	
	73.	WO	96/36623	A1	Merck Frosst Canada Inc.	11-21-1996	
	74.	WO	96/37469	A1	Merck Frosst Canada Inc.	11-28-1996	
	75.	WO	97/08145	A1	G.D. Searle & Co.	03-06-1997	
	76.	WO	97/11718	A1	The Victoria University of Manchester	04-03-1997	
	77.	WO	97/15666	A1	The Children's Medical Center Corporation	05-01-1997	
	78.	WO	97/15676	A2	Abbott Laboratories	05-01-1997	
	79.	WO	97/19954	A1	Asta Medica Aktiengesellschaft	06-05-1997	
	80.	WO	97/20835	A1	Harbor Branch Oceanographic Institution, Inc.	06-12-1997	
	81.	WO	97/23451	A1	Merck Patent Gesellschaft Mit Beschränkter Haftung	07-03-1997	A
	82.	WO	97/23480	A1	The Du Pont Merck Pharmaceutical Company	07-03-1997	
	83.	WO	97/24116	A2	Allergan	07-10-1997	
	84.	WO	97/29106	A1	Rutgers, The State University of New Jersey	08-14-1997	

Examiner Signature	Date Considered
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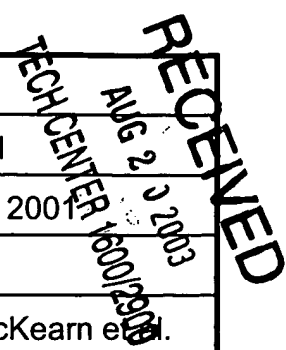
	85.	WO	97/31936	A2	Wisconsin Alumni Research Foundation	09-04-1997	
	86.	WO	97/33887	A1	The Du Pont Merck Pharmaceutical Company	09-18-1997	
	87.	WO	97/34608	A1	Mayo Foundation for Medical Education and Research	09-25-1997	
	88.	WO	97/36497	A2	Mars, Incorporated	10-09-1997	
	89.	WO	97/36860	A1	G.D. Searle & Co.	10-09-1997	
	90.	WO	97/36863	A1	Merck Frosst Canada Inc.	10-09-1997	
	91.	WO	97/37658	A1	Boehringer Mannheim Italia S.P.A.	10-16-1997	
	92.	WO	97/41844	A1	Alcon Laboratories, Inc.	11-13-1997	
	93.	WO	97/47296	A2	Mount Sinai Hospital Corporation	12-18-1997	
	94.	WO	97/49704	A1	Janssen Pharmaceutica N.V.	12-31-1997	
	95.	WO	98/03484	A1	Merck Frosst Canada Inc.	01-29-1998	
	96.	WO	98/07432	A1	American Home Products Corporation	02-26-1998	
	97.	WO	98/07433	A1	Bristol-Myers Squibb Company	02-26-1998	
	98.	WO	98/12181	A1	Rutgers, The State University of New Jersey	03-26-1998	
	99.	WO	98/13350	A1	Zeneca Limited	04-02-1998	
	100.	WO	98/14188	A1	Ilex Oncology Inc.	04-09-1998	
	101.	WO	98/16227	A1	G.D. Searle & Co.	04-23-1998	

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				Examiner Name	Unknown
Sheet	7	of	13	Attorney Docket No.	PHA 4297 (3167/8Z)

	102.	WO	98/22101	A2	G.D. Searle & Co.	05-28-1998	
	103.	WO	98/25603	A1	Ilex Oncology, Inc.	06-18-1998	
	104.	WO	98/25896	A1	G.D. Searle & Co.	06-18-1998	
	105.	WO	98/40104	A2	Yale University et al.	09-17-1998	
	106.	WO	98/45294	A1	Astra Pharmaceuticals Ltd.	10-15-1998	
	107.	WO	99/01131	A1	Smithkline Beecham Corporation	01-14-1999	
	108.	WO	99/05104	A1	Pfizer Pharmaceuticals Inc.	02-04-1999	
	109.	WO	99/10331	A1	Abbott Laboratories	03-04-1999	
	110.	WO	99/12930	A1	Glaxo Group Limited	03-18-1999	
	111.	WO	99/14194	A1	Merck Frosst Canada Inc.	03-25-1999	
	112.	WO	99/14205	A1	Almirall Prodesfarma S.A.	03-25-1999	
	113.	WO	99/21583	A1	Warner-Lambert Company	05-06-1999	
	114.	WO	99/23087	A1	Merck Frosst Canada & Co.	05-14-1999	
	115.	WO	99/31067	A1	Rutgers, The State University of New Jersey	06-24-1999	
	116.	WO	99/41241	A1	Rutgers, The State University of New Jersey	08-19-1999	

OTHER ART - NON PATENT LITERATURE DOCUMENTS

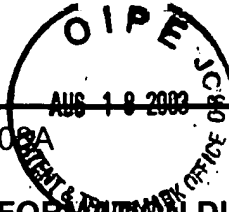
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
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				Filing Date	October 5, 2001
				Confirmation Number	Unknown
				First Named Inventor	John P. McKearn et al.
				Group Art Unit	1614
				Examiner Name	Unknown
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				First Named Inventor	John P. McKearn et al.
				Group Art Unit	1614
				Examiner Name	Unknown
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				Application Number	09/868,261
				Filing Date	October 5, 2001
				Confirmation Number	Unknown
				First Named Inventor	John P. McKearn et al.
				Group Art Unit	1614
				Examiner Name	Unknown
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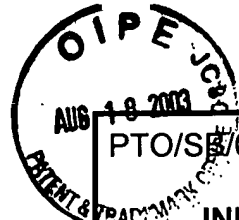
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				First Named Inventor	John P. McKearn et al.
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